

Green, LindaE

From: Bob Wampler <wampler@gwu.edu>
Sent: Monday, February 22, 2016 2:44 PM
To: FOIA HQ
Cc: 'Nate Jones'
Subject: EPA FOIA request 37_2-22-2016
Attachments: EPA FOIA request 37_2-22-2016.docx

Dear EPA FOIA Office,

I am writing to submit the attached FOIA request. Please contact me if you have any questions regarding this request. I appreciate your assistance and look forward to receiving your response.

Yours,

Robert A. Wampler, PhD

Senior Fellow

The National Security Archive

The National Security Archive

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February 22, 2016

National Freedom of Information Center
U.S. EPA, Records, FOIA and Privacy Branch
1200 Pennsylvania Avenue NW (2822T)
Washington, DC 20460

Dear Sir or Madam:

Re: Request under the FOIA, in reply refer to Archive FOIA Sequence Number 20160076EPA002

Pursuant to the Freedom of Information Act (FOIA), I hereby request disclosure of the following documents for inspection and possible copying:

Documents relating to the Warsaw Climate Change Conference, which took place from November 11-23 2013 in Poland. It included the 19th session of the Conference of the Parties (COP 19) to the UN Framework Convention on Climate Change (UNFCCC) and the ninth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 9). The conference also included meetings of three subsidiary bodies: the 39th sessions of the Subsidiary Body for Scientific and Technological Advice (SBSTA 39) and the Subsidiary Body for Implementation (SBI 39), and the third part of the second session of the *Ad Hoc* Working Group on the Durban Platform for Enhanced Action (ADP 2). Negotiations in Warsaw focused on the implementation of agreements reached at previous meetings, including pursuing the work of the *Ad Hoc* Working Group on the Durban Platform for Enhanced Action. The meeting adopted an ADP decision that invited parties to initiate or intensify domestic preparations for their intended nationally-determined contributions, and resolved to accelerate the full implementation of the Bali Action Plan and pre-2020 ambition goals.

The scope of the search for relevant documents would include, but not be limited to, documents prepared for the EPA Administrator and/or any other EPA officials who were either involved in preparations for the meeting or were part of the U.S. delegation to the meeting. According to the official list of participants at the conference, the following EPA officials attended: William Irving Chief, Climate Policy Branch, Office of Air and Radiation, and Maurice LeFranc, Senior Adviser, Office of Air and Radiation. I am primarily interested in documents that deal in a substantive manner with U.S. policy regarding the discussions at the Warsaw conference as described above. Relevant documents would include, but not be limited to, cables reporting on the meetings, memoranda of conversation with U.S. or foreign officials from the key Annex I governments (Great Britain, France, Germany, the EU, Russia, India, China and Japan) prior to or during the meeting; briefing papers for members of the U.S. delegation to the meeting; agendas and minutes of inter-agency meetings held to discuss U.S. policy objectives for the conference, analyses of the negotiating history regarding the climate change talks; analyses of positions held by other governments, and assessments of Congressional or business concerns regarding U.S. adherence to new climate change treaties. You may exclude from the scope of this request any documents that are of a purely administrative or logistical nature, or which provide information that is already publicly available, i.e., news briefings, press clippings, published academic or foundation reports and

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studies, and the official UN reports and documents available on the UN website at <http://unfccc.int/meetings/items/6237.php>.

If you regard any of these documents as potentially exempt from the FOIA's disclosure requirements, I request that you nonetheless exercise your discretion to disclose them. As the FOIA requires, please release all reasonably segregable nonexempt portions of documents. To permit me to reach an intelligent and informed decision whether or not to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims.

As a representative of the news media, the National Security Archive qualifies for "representative of the new media" status under 5 U.S.C. Sec. 552(a)(4)(A)(ii)(II) and, therefore, may not be charged search and review fees. (See *National Security Archive v. U.S. Department of Defense*, 880 F.2d 1381 (D.C. Cir. 1989), *cert denied*, 110 S Ct. 1478 (1990)). This request is made as part of a scholarly and news research project that is intended for publication and is not for commercial use. For details on the Archive's research and extensive publication activities please see our website at www.nsarchive.org. Please notify me before incurring photocopying costs over \$100.

To expedite the release of the requested documents, please disclose them on an interim basis as they become available to you, without waiting until all the documents have been processed. If you have any questions regarding the identity of the records, their location, the scope of the request or any other matters, please call me at (202) 994-7000. I look forward to receiving your response within the twenty-day statutory time period.

Sincerely,

Robert A. Wampler
Senior Fellow